

REMARKS

Claims 1, 2, 5, and 6 are all the claims pending in the application. Claims 1 and 2 have been amended to more clearly state the feature of the currently claimed invention. Support may be found by original claim 4 and drawings, for example Figs. 8A-8D. No new matter has been introduced. Entry of the amendments and reconsideration of the application are respectfully requested.

Applicant understands that the Section 112 rejection is withdrawn, even though it is not expressly stated in the Office Action dated May 15, 2007, and thanks to the Office.

Claim Rejection under 35 U.S.C. § 102

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Golden (US Patent No. 3,609,865) (“Golden”). Applicant respectfully traverses the rejection.

Golden is relied upon to disclose a fork-like utensil containing a holder, a pressing portion having a first and a second extension and a ring-like hole formed inward from the first and second extensions, as well as a convex curved bottom of the pressing portion. It is further relied upon to teach a number of grooves and protrusions formed on inner surfaces of the first and second extensions.

Currently presented claim 1 recites “[a] pimple removal utensil comprising: a holder; a pressing portion in which a first extension and a second extension are formed, which correspond to each other and are branched off and extended from the holder, and including a ring-like hole formed inward of the first and second extensions, wherein at least a part of the pressing portion is to be contact with a surface from which a pimple is removed in such a way that the ring-like hole

of the pressing portion is positioned on the pimple; wherein a distance between an inner surface of the first extension and an inner surface of the second extension, the inner surfaces facing each other, is gradually smaller as it reaches to distal ends of the first and second extensions; wherein a bottom of the pressing portion is convex curved, the bottom of the pressing portion is to be contact with the surface from which the pimple is removed; and wherein the first and second extensions press an area of the surface, from which the pimple is removed, with a lateral force as the pimple positioned inside the hole moves to the distal ends of the first and second extensions according to the moving of the pressing portion along the convex curved surface of the bottom of the pressing portion.”

Golden fails to teach that the pressing portion is to be contact with a surface from which a pimple is removed in such as way that the hole of the pressing portion is positioned on the pimple. Furthermore, Golden fails to teach that the device has a hole, which is formed by a first and a second extensions and gradually narrows at it reaches to distal ends of the first and the second extensions. The device of Golden is designed to grip and handling certain food such as spaghetti. For this purpose, the device has a double or concavo-convex curvature having essentially elongated sinusoidal-shaped slots. Such structure cannot perform the function of the claimed invention, i.e., the first and second extensions press an area of the surface, from which the pimple is removed, with a lateral force as the pimple positioned inside the hole moves to the distal ends of the first and second extensions according to the moving of the pressing portion along the convex curved surface of the bottom of the pressing portion.

Therefore, Applicant respectfully submits that the currently presented claims 1 and 2 are not anticipated by Golden and request that the rejection be withdrawn.

Claims 1, 2, 4, and 8-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Daniell (US Patent No. 4,976,718) (“Daniell”). Applicant respectfully traverses the rejection.

Daniell is relied upon to disclose a device that contains a holder and a pressing portion having a first and a second extension and a hole formed inward from the first and second extensions. It is further relied upon to teach that the first and second extensions contain a plurality of protrusions and grooves, which are formed in such a way that the gap between the inward surfaces of the first and second extensions become gradually narrow as the extensions move from the hole to the end, and that the bottom of the pressing portion is convex curved.

Currently presented claim 1 recites “[a] pimple removal utensil comprising: a holder; a pressing portion in which a first extension and a second extension are formed, which correspond to each other and are branched off and extended from the holder, and including a ring-like hole formed inward of the first and second extensions, wherein at least a part of the pressing portion is to be contact with a surface from which a pimple is removed in such a way that the ring-like hole of the pressing portion is positioned on the pimple; wherein a distance between an inner surface of the first extension and an inner surface of the second extension, the inner surfaces facing each other, is gradually smaller as it reaches to distal ends of the first and second extensions; wherein a bottom of the pressing portion is convex curved, the bottom of the pressing portion is to be contact with the surface from which the pimple is removed; and wherein the first and second

extensions press an area of the surface, from which the pimple is removed, with a lateral force as the pimple positioned inside the hole moves to the distal ends of the first and second extensions according to the moving of the pressing portion along the convex curved surface of the bottom of the pressing portion.”

Like Golden, Daniell fails to teach that the pressing portion is to be contact with a surface from which a pimple is removed in such a way that the hole of the pressing portion is positioned on the pimple. The device of Daniell is designed to catch and remove a parasite from a human host. The device has first and second arms each having a distal end and proximal end and secured so that they are movable in opposition to one another between an open position and a closed position.

The Office Action asserts that the term “ring-like” hole is a broad term and the opening taught by Daniell meets the “ring-like” limitation.

However, it is so evident that the device of Daniell cannot properly used to remove a pimple from a surface by bringing the device to be contact with the surface by positioning the hole on the pimple, and the first and second extensions press an area of the surface, from which the pimple is removed, with a lateral force as the pimple positioned inside the hole moves to the distal ends of the first and second extensions according to the moving of the pressing portion along the convex curved surface of the bottom of the pressing portion.

Therefore, Applicant respectfully submits that the currently presented claims 1 and 2, and their dependent claims, are not anticipated by Golden and request that the rejection be withdrawn.

Claim Rejection under 35 U.S.C. § 103

Claim 5 stand rejected under 35 U.S.C. § 103 as being unpatentable over Golden, as applied to Claim 1, in view of Hale et al. (U.S. Patent No. 1,785,191) (“Hale”). Applicant respectfully traverses the rejection.

Golden was discussed above with respect to the rejection of claim 1 under 35 U.S.C. § 102(b), and fails to teach all elements of claim 1.

Hale is relied upon to teach a fork with a perpendicular auxiliary guard in order to protect the user from the utensil end of the device.

Applicant respectfully submits that Hale does not cure the defects of Golden, which fails to teach that the pressing portion is to be contact with a surface from which a pimple is removed in such as way that the hole of the pressing portion is positioned on the pimple, and that the claimed device has a hole, which is formed by a first and a second extensions and gradually narrows at it reaches to distal ends of the first and the second extensions. Neither of Golden nor Hale teaches a structure in which the first and second extensions press an area of the surface, from which the pimple is removed, with a lateral force as the pimple positioned inside the hole moves to the distal ends of the first and second extensions according to the moving of the pressing portion along the convex curved surface of the bottom of the pressing portion.

Accordingly, it is believed that the rejection is not sustainable and its withdrawal is respectfully requested.

Claims 6 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniell, as applied to Claims 1 and 9, in view of Saylor (U.S. Patent No. 5,843,094).

Daniell was discussed above with respect to the rejection of claim 1 under 35 U.S.C. § 102(b), and fails to teach all elements of claim 1.

Saylor is relied upon to teach a ball-shaped device on a distal end of a tick removing device for storage and transportation.

Applicant respectfully submits that Hale does not cure the defects of Daniell, which fails to teach that the pressing portion is to be contact with a surface from which a pimple is removed in such a way that the hole of the pressing portion is positioned on the pimple. Neither of Daniell nor Saylor teaches a structure in which the first and second extensions press an area of the surface, from which the pimple is removed, with a lateral force as the pimple positioned inside the hole moves to the distal ends of the first and second extensions according to the moving of the pressing portion along the convex curved surface of the bottom of the pressing portion.

Accordingly, it is believed that the rejections under 35 U.S.C. § 103 are not sustainable and their withdrawal is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/516,684

Attorney Docket No.: Q102364

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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